

TIMOTHY LYLE TAYLOR,
SARA CYNTHIA TAYLOR CHERRY
AND BRYAN DANIEL TAYLOR

NO.: DIV.: B
2000-00413
14TH JUDICIAL DISTRICT COURT

VERSUS

PARISH OF CALCASIEU

SHELTER LINCOLN MERCURY LTD,
FIRESTONE TIRE & SERVICE,
FORD MOTOR COMPANY, BRIDGESTONE
AMERICAS HOLDING, INC., and COOPER
TIRE AND RUBBER COMPANY

STATE OF LOUISIANA

PETITION FOR SURVIVAL ACTION AND
WRONGFUL DEATH DAMAGES

NOW INTO COURT, through undersigned counsel, come Timothy Lyle Taylor, Sara
Cynthia Taylor Cherry and Bryan Daniel Taylor, all of whom are of the full age of majority
who respectfully aver:

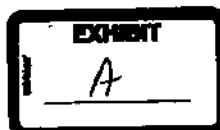
1.

Made defendants herein are:

- (A) SHELTON LINCOLN MERCURY LTD, (hereinafter referred to as
"SHELTON") domiciled in the State of Louisiana;
- (B) FIRESTONE TIRE & SERVICE, domiciled in the State of Louisiana, located
at 3485 Ryan Street, Lake Charles, Louisiana 70605;
- (C) FORD MOTOR COMPANY, (hereinafter referred to as "FORD") a foreign
corporation, domiciled in the State of Delaware, with its principle office
located at One American Road, Dearborn, Michigan, and authorized to
do and doing business in the State of Louisiana;
- (D) BRIDGESTONE AMERICAS HOLDING, INC. (hereinafter referred to as
"BRIDGESTONE"), domiciled in the State of Nevada, and authorized to do
and doing business in the State of Louisiana; and
- (E) COOPER TIRE AND RUBBER COMPANY, (hereinafter referred to as
"COOPER"), domiciled in the State of Delaware, and authorized to do and
doing business in the State of Louisiana.

2.

Plaintiffs, TIMOTHY LYLE TAYLOR, SARA CYNTHIA TAYLOR CHERRY and
BRYAN DANIEL TAYLOR are the natural born children and were born during the marriage of
the decedents, TOMMY GENE TAYLOR and EMOGENE NORTON TAYLOR.



3.

TIMOTHY LYLE TAYLOR is domiciled in Boulder, Colorado. SARA CYNTHIA TAYLOR CHERRY is domiciled in Austin, Texas. BRYAN DANIEL TAYLOR is domiciled in Louisiana.

4.

The decedent, TOMMY GENE TAYLOR, purchased a new, previously untitled, four door 1998 Mercury Mountaineer from defendant, SHELTON.

5.

On or about September 22, 2005 at approximately 8:40 p.m., and at all relevant times hereto, TOMMY GENE TAYLOR was operating the Mountaineer in a safe and prudent manner in the left lane of Mississippi Highway 98 East, a four-lane median-divided highway located in the State of Mississippi. EMOGENE NORTON TAYLOR was a seatbelted passenger in the rear middle seat of the Mountaineer. Garcia Bogata was seated in the front passenger seat.

6.

While proceeding on Mississippi Highway 98 East, TOMMY GENE TAYLOR attempted to avoid a slowing vehicle, when suddenly and without warning, the Mountaineer lost its stability and failed to protect its occupants, resulting in the deaths of TOMMY GENE TAYLOR and EMOGENE NORTON TAYLOR.

7.

The aforementioned injuries were caused by a combination of product defects in the 1998 Mercury Mountaineer, which was defective in design, composition and failure to warn of the inherent dangerous characteristics of the vehicle that is subject to loss of control and stability and a roll-over while operating the vehicle under normal and foreseeable conditions, all of which render the Mountaineer unreasonably dangerous pursuant to the Louisiana Products Liability Act, LSA-R.S. 9:2800.51, et seq., the absence of one or more of which defective conditions would have, more probably than not, prevented the injuries which resulted herein. Said defective

conditions consisted of or resulted from the following non-exclusive list of acts and/or omissions:

- a. in failing to warn users both before and after sale that the Mountaineer was subject to loss of control and stability, which was substantially certain to result in roll-over of the vehicle;
- b. In the improper and dangerous design of the vehicle;
- c. In failing to properly test and inspect the vehicle; and
- d. Other acts and/or omissions of negligence which may be further discovered during the trial of this matter.

8.

Defendant, Ford Motor Company, as designers, manufacturers, distributors and sellers, as well as through their marketing of this product, made implied and express warranties that the Explorer was reasonably fit for the general and foreseeable uses and purposes intended and that it was free of any defects in its design or construction.

9.

Defendant, Shelton Lincoln Mercury LTD marketed and sold the Mountaineer to TOMMY GENE TAYLOR and EMOGENE NORTON TAYLOR.

10.

Shelton Lincoln Mercury LTD, its salesman, management and staff deceptively induced TOMMY GENE TAYLOR and EMOGENE NORTON TAYLOR to purchase the Mountaineer by failing to disclose to TOMMY GENE TAYLOR and EMOGENE NORTON TAYLOR the redhibitory defects associated with the Mountaineer, particularly its instability and roll-over characteristics, all of which constitutes negligence and fault.

11.

Upon information and belief, had TOMMY GENE TAYLOR and EMOGENE NORTON TAYLOR been informed by Shelton Lincoln Mercury LTD and those for whom it is responsible that the Mountaineer was susceptible to instability, loss of control and /or roll-over during

reasonably foreseeable driving conditions, the decedents would not have purchased the vehicle.

12.

Upon information and belief, SHELTON was aware of the defects contained in the BRIDGESTONE Firestone Wilderness A/T tires mounted on the Mountaineer, and/or serviced the tires on the Mountaineer, and failed to warn the decedents of the defective nature of the tires.

13.

Upon information and belief, Defendant, FIRESTONE TIRE & SERVICE installed Firestone and Cooper tires on the Mountaineer, which were defective in their design, manufacture and/or not properly mounted on the wheel and/or vehicle, and/or were not properly fitted for the vehicle, all of which contributed to the loss of control of the Mountaineer, the decedents' death and plaintiffs' damages.

14.

Upon information and belief, COOPER defectively designed and manufactured the two front tires on the Mountaineer, which contributed to the loss of control of the Mountaineer, the decedents' death and plaintiffs' damages.

15.

Upon information and belief, BRIDGESTONE defectively designed and manufactured the two rear tires on the Mountaineer, which contributed to the loss of control of the Mountaineer, the decedents' death and plaintiffs' damages.

16.

Upon information and belief, TOMMY GENE TAYLOR and EMOGENE NORTON TAYLOR survived the initial crash but died thereafter as a result of their injuries.

17.

As a direct and proximate cause of the aforementioned negligence and strict liability of the defendants, plaintiffs sustained the following, non-exclusive damages:

- a. Mental pain, anguish, and distress – past, present and future;
- b. Loss of enjoyment of life, past, present and future;
- c. Medical expenses – past, present and future;
- d. Lost wages – past, present and future;
- e. Wrongful death of their father, Tommy Gene Taylor;
- f. Survival action damages of Tommy Gene Taylor;
- g. Last pain and suffering of Emogene Norton Taylor;
- h. Last mental anguish of Emogene Norton Taylor;
- i. Any and all other damages to be proven at the trial of this matter.

18.

All defendants are jointly, severally and/or solidarily liable unto plaintiffs for all damages prayed for herein.

19.

Upon information and belief, the Mercury Mountaineer was designed, engineered, tested, manufactured, marketed and sold by Ford Motor Company. Despite the numerous corporate entities related Ford Motor Company and Mercury and their complex corporate structure, it is plaintiffs' intent to place the company and/or other corporate entity responsible for the design, manufacture and warnings associated with the 1998 Mercury Mountaineer on notice of this claim by the filing of this Petition for Damages.

PLAINTIFFS FURTHER PRAY that this matter be tried by jury.


WHEREFORE PLAINTIFFS PRAY that the Defendants be served with a copy of this petition and citation, and after all legal delays and due proceedings had, there be judgment in favor of the Plaintiffs, TIMOTHY LYLE TAYLOR, SARA CYNTHIA TAYLOR

CHERRY and BRYAN DANIEL TAYLOR and against Defendants, SHELTON LINCOLN MERCURY LTD, FIRESTONE TIRE & SERVICE, FORD MOTOR COMPANY, BRIDGESTONE AMERICAS HOLDINGS, INC. and COOPER TIRE & RUBBER for compensatory damages in the amount that will fully and adequately satisfy the demands of justice in equity, together with legal interest thereon from the date of judicial demand, until paid, and for all costs of these proceedings.

RESPECTFULLY SUBMITTED:

Respectfully Submitted:

McKERNAN LAW FIRM



Joseph J. McKernan, Bar Roll 10027
John H. Smith, Bar Roll 23308
8710 Jefferson Highway
Baton Rouge, Louisiana 70809
Telephone: (225) 926-1234
Facsimile: (225) 926-1202

From 1911 to 1913, the
total number of cases of
diphtheria in the United States
was 1,100,000.

FAX 814-7-1111

THE SUI NUMBER ASSIGNED TO THIS CASE IS 2006-00443 Div-B

↑ 42. 43. 44. 45. 46.

- [illegible]

FILE IMMEDIATELY

MCKERNAN LAW FIRM

A Professional Limited Liability Company

ATTORNEYS

JOSEPH J. "JERRY" MCKERNAN*†: A
GORDON J. MCKERNAN*
THOMAS L. WALKER
JOHN H. SMITH+
CHRISTOPHER G. BOURDELAUX+
DERRICK M. WHITTUNTON

6770 Jefferson Highway
Baton Rouge, Louisiana 70806
Telephone (225) 926-1254
Fax (225) 926-1262
e-mail: cmck@mckernanlawfirm.com

OF COUNSEL
SCOTT E. BRADY

September 22, 2006

(337) 437-3206

Honorable H. Lynn Jones II
Clerk of Court
Parish of Calcasieu
P. O. Box 1030
Lake Charles, LA 70601

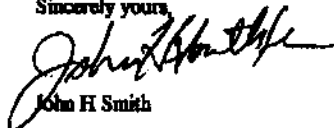
RE: Taylor, et al. v. Shelter Lincoln Mercury, Ltd, et al.

Dear Mr. Jones:

Attached is the Petition for Survival Action and Wrongful Death Damages we are hereby "fax filing" on behalf of plaintiffs. Please provide us with confirmation of your receipt of said fax filing at your earliest convenience.

We will forward the originals, along with our firm check within the applicable legal delays.

Sincerely yours,



John H. Smith

JHS/hnk
Enc.

*Above Licensed in Louisiana and Texas
+Above Licensed in Louisiana and Mississippi
† Board Certified - Civil Trial Law - National Board of Trial Advocacy
‡ Board Certified - Appellate Board of Trial Advocacy
▲ Fellow, International Academy of Trial Lawyers

*** TX REPORT ***	

TRANSMISSION OK	
TX/RX NO	1145
CONNECTION TEL	3206pppp88112365
SUBADDRESS	
CONNECTION ID	
ST. TIME	09/22 12:33
USAGE T	01'00
PGS.	7
RESULT	OK

MCKERNAN LAW FIRM

A Professional Limited Liability Company

ATTORNEYS
JOSEPH I. "JERRY" MCKERNAN***
GORDON J. MCKERNAN*
THOMAS L. WALKER
JOHN H. SMITH*
CHET G. BOURDEAUX*
DERECK M. WHITTINGTON

5716 Jefferson Highway
Baton Rouge, Louisiana 70809
Telephone (225) 936-1234
Fax (225) 936-1233
e-mail cmckernan@mckernanlaw.com

OF COUNSEL
SCOTT B. BRADY

September 22, 2006

(337) 437-3206
Honorable H. Lynn Jones II
Clerk of Court
Parish of Calcasieu
P. O. Box 1030
Lake Charles, LA 70601

RE: Taylor, et al. v. Shafter Lincoln Mercury, Ltd, et al.

Dear Mr. Jones:

Attached is the Petition for Survival Action and Wrongful Death Damages we are hereby "fax filing" on behalf of plaintiffs. Please provide us with confirmation of your receipt of said fax filing at your earliest convenience.

We will forward the originals, along with our firm check within the applicable legal delays.

Sincerely yours,


John H. Smith

JHS/hak
Enc.

MCKERNAN LAW FIRM

A Professional Limited Liability Company

ATTORNEYS
JOSEPH J. "JERRY" MCKERNAN†, a
GORDON J. MCKERNAN*
THOMAS L. WALKER
JOHN H. SMITH*
CHRISTOPHER G. BOURDEAUX*
DERECK M. WHITTINGTON

6710 Jefferson Highway
Baton Rouge, Louisiana 70805
Telephone (225) 336-1234
Fax (225) 336-4382
e-mail: smth@mckernanlawfirm.com

OF COUNSEL
SCOTT E. BRADY

September 22, 2006

(337) 437-3206

Honorable H. Lynn Jones II
Clerk of Court
Parish of Calcasieu
P. O. Box 1030
Lake Charles, LA 70601

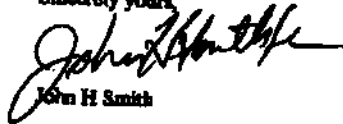
RE: Taylor, et al. v. Shelter Lincoln Mercury, Ltd, et al.

Dear Mr. Jones:

Attached is the Petition for Survival Action and Wrongful Death Damages we are hereby "fax filing" on behalf of plaintiffs. Please provide us with confirmation of your receipt of said fax filing at your earliest convenience.

We will forward the originals, along with our firm check within the applicable legal delays.

Sincerely yours,


John H. Smith

HHS/hnk
Eno.

*Above Licensed in Louisiana and Texas
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† Board Certified - Civil Trial Law - National Board of Trial Advocacy
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* Fellow, International Academy of Trial Lawyers

TIMOTHY LYLE TAYLOR,
SARA CYNTHIA TAYLOR CHERRY
AND BRYAN DANIEL TAYLOR

NO.: 2006-004413 DIV.: B

14TH JUDICIAL DISTRICT COURT

VERSUS

PARISH OF CALCASIEU

SHELTER LINCOLN MERCURY LTD,
FIRESTONE TIRE & SERVICE,
FORD MOTOR COMPANY, BRIDGESTONE
AMERICAS HOLDING, INC., and COOPER
TIRE AND RUBBER COMPANY

STATE OF LOUISIANA

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PETITION FOR SURVIVAL ACTION AND
WRONGFUL DEATH DAMAGES

NOW INTO COURT, through undersigned counsel, come Timothy Lyle Taylor, Sara
Cynthia Taylor Cherry and Bryan Daniel Taylor, all of whom are of the full age of majority
who respectfully aver:

1.

Made defendants herein are:

- (A) SHELTON LINCOLN MERCURY LTD, (hereinafter referred to as
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- (B) FIRESTONE TIRE & SERVICE, domiciled in the State of Louisiana, located
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located at One American Road, Dearborn, Michigan, and authorized to
do and doing business in the State of Louisiana;
- (D) BRIDGESTONE AMERICAS HOLDING, INC. (hereinafter referred to as
"BRIDGESTONE"), domiciled in the State of Nevada, and authorized to do
and doing business in the State of Louisiana; and
- (E) COOPER TIRE AND RUBBER COMPANY, (hereinafter referred to as
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doing business in the State of Louisiana.

2.

Plaintiffs, TIMOTHY LYLE TAYLOR, SARA CYNTHIA TAYLOR CHERRY and
BRYAN DANIEL TAYLOR are the natural born children and were born during the marriage of
the decedents, TOMMY GENE TAYLOR and EMOGENE NORTON TAYLOR.

2006 SEP 22 PM 1:12
CALCASIEU PARISH

3.

TIMOTHY LYLE TAYLOR is domiciled in Boulder, Colorado. SARA CYNTHIA TAYLOR CHERRY is domiciled in Austin, Texas. BRYAN DANIEL TAYLOR is domiciled in Louisiana.

4.

The decedent, TOMMY GENE TAYLOR, purchased a new, previously untitled, four door 1998 Mercury Mountaineer from defendant, SHELTON.

5.

On or about September 22, 2006 at approximately 6:40 p.m., and at all relevant times hereto, TOMMY GENE TAYLOR was operating the Mountaineer in a safe and prudent manner in the left lane of Mississippi Highway 98 East, a four-lane median-divided highway located in the State of Mississippi. EMOGENE NORTON TAYLOR was a seatbelted passenger in the rear middle seat of the Mountaineer. Garcia Bogata was seated in the front passenger seat.

6.

While proceeding on Mississippi Highway 98 East, TOMMY GENE TAYLOR attempted to avoid a slowing vehicle, when suddenly and without warning, the Mountaineer lost its stability and failed to protect its occupants, resulting in the deaths of TOMMY GENE TAYLOR and EMOGENE NORTON TAYLOR.

7.

The aforementioned injuries were caused by a combination of product defects in the 1998 Mercury Mountaineer, which was defective in design, composition and failure to warn of the inherent dangerous characteristics of the vehicle that is subject to loss of control and stability and a roll-over while operating the vehicle under normal and foreseeable conditions, all of which render the Mountaineer unreasonably dangerous pursuant to the Louisiana Products Liability Act, LSA-R.S. 9:2800.51, et seq., the absence of one or more of which defective conditions would have, more probably than not, prevented the injuries which resulted herein. Said defective

conditions consisted of or resulted from the following non-exclusive list of acts and/or omissions:

- a. In failing to warn users both before and after sale that the Mountaineer was subject to loss of control and stability, which was substantially certain to result in roll-over of the vehicle;
- b. In the improper and dangerous design of the vehicle;
- c. In failing to properly test and inspect the vehicle; and
- d. Other acts and/or omissions of negligence which may be further discovered during the trial of this matter.

8.

Defendant, Ford Motor Company, as designers, manufacturers, distributors and sellers, as well as through their marketing of this product, made implied and express warranties that the Explorer was reasonably fit for the general and foreseeable uses and purposes intended and that it was free of any defects in its design or construction.

9.

Defendant, Shelton Lincoln Mercury LTD marketed and sold the Mountaineer to TOMMY GENE TAYLOR and EMOGENE NORTON TAYLOR.

10.

Shelton Lincoln Mercury LTD, its salesman, management and staff deceptively induced TOMMY GENE TAYLOR and EMOGENE NORTON TAYLOR to purchase the Mountaineer by failing to disclose to TOMMY GENE TAYLOR and EMOGENE NORTON TAYLOR the redhibitory defects associated with the Mountaineer, particularly its instability and roll-over characteristics, all of which constitutes negligence and fault.

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Upon information and belief, had TOMMY GENE TAYLOR and EMOGENE NORTON TAYLOR been informed by Shelton Lincoln Mercury LTD and those for whom it is responsible that the Mountaineer was susceptible to instability, loss of control and /or roll-over during

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Upon information and belief, TOMMY GENE TAYLOR and EMOGENE NORTON TAYLOR survived the initial crash but died thereafter as a result of their injuries.

17.

As a direct and proximate cause of the aforementioned negligence and strict liability of the defendants, plaintiffs sustained the following, non-exclusive damages:

- a. Mental pain, anguish, and distress – past, present and future;
- b. Loss of enjoyment of life, past, present and future;
- c. Medical expenses – past, present and future;
- d. Lost wages – past, present and future;
- e. Wrongful death of their father, Tommy Gene Taylor;
- f. Survival action damages of Tommy Gene Taylor;
- g. Last pain and suffering of Emogene Norton Taylor;
- h. Last mental anguish of Emogene Norton Taylor;
- i. Any and all other damages to be proven at the trial of this matter.

18.

All defendants are jointly, severally and/or solidarily liable unto plaintiffs for all damages prayed for herein.

19.

Upon information and belief, the Mercury Mountaineer was designed, engineered, tested, manufactured, marketed and sold by Ford Motor Company. Despite the numerous corporate entities related Ford Motor Company and Mercury and their complex corporate structure, it is plaintiffs' intent to place the company and/or other corporate entity responsible for the design, manufacture and warnings associated with the 1998 Mercury Mountaineer on notice of this claim by the filing of this Petition for Damages.

PLAINTIFFS FURTHER PRAY that this matter be tried by jury.

WHEREFORE PLAINTIFFS PRAY that the Defendants be served with a copy of this petition and citation, and after all legal delays and due proceedings had, there be judgment in favor of the Plaintiffs, TIMOTHY LYLE TAYLOR, SARA CYNTHIA TAYLOR

CHERRY and BRYAN DANIEL TAYLOR and against Defendants, SHELTON LINCOLN MERCURY LTD, FIRESTONE TIRE & SERVICE, FORD MOTOR COMPANY, BRIDGESTONE AMERICAS HOLDINGS, INC. and COOPER TIRE & RUBBER for compensatory damages in the amount that will fully and adequately satisfy the demands of justice in equity, together with legal interest thereon from the date of judicial demand, until paid, and for all costs of these proceedings.

RESPECTFULLY SUBMITTED:

Respectfully Submitted:

McKERNAN LAW FIRM



Joseph J. McKernan, Bar Roll 10027
John H Smith, Bar Roll 23308
8710 Jefferson Highway
Baton Rouge, Louisiana 70809
Telephone: (225) 926-1234
Facsimile: (225) 926-1202

MCKERNAN LAW FIRM

A Professional Limited Liability Company

ATTORNEYS
JOSEPH L. "JERRY" MCKERNAN†, A
ORDON L. MCKERNAN*
THOMAS L. WALKER
JOHN H. SMITH+
CHRYL G. BOUDREAUX+
DARRICK M. WHITTINGTON

8710 Jefferson Highway
Suite 2000, Louisiana 70009
Telephone (225) 936-1234
Fax (225) 936-1232
e-mail: cmck@cmckernanlawfirm.com

OW CHENIERE
SCOTT E. BRADY

September 25, 2006

VIA FEDERAL EXPRESS
Honorable H. Lynn Jones, II
Clerk of Court, 14th JDC
Courthouse, 1000 Ryan Street
Lake Charles, LA 70601

Re: aylor, et al. v. Shelter Lincoln Mercury, Ltd.
Suit No. 2006-004413; Div. "B"

Dear Sir/Madam:

Enclosed are an original and one copy of plaintiffs' Petition for Survival Action and Wrongful Death Damages which was previously fax filed, along with our check in the amount of \$205.00. Please file the original into the record and return one conformed copy to me.

Please let me know if you require further information. With kind regards, I am,

Sincerely yours,

MCKERNAN LAW FIRM


Jerry McKernan

JJM/hnk

*Above Licensed in Louisiana and Texas
+Above Licensed in Louisiana and Mississippi
†Board Certified - Civil Trial Law - National Board of Trial Advocacy
+ Board Certified - American Board of Trial Advocacy
* Fellow, International Academy of Trial Lawyers

TO: COMMISSIONER OF INSURANCE
P.O. BOX 94214
BATON ROUGE, LA 70804

FROM: CLERK OF COURT, PARISH OF CALCASIEU

RE: R.S. 9:2800.7

PERSONAL INJURY SUIT

Section A shall be obtained by the Clerk of Court at the time suit is filed and submitted to the Commissioner of Insurance within 30 days of filing. Section A shall also be completed at the time Judgment becomes definitive.

A. INITIAL INFORMATION

1. Caption of Suit: TIMOTHY LYLE TAYLOR

VS.

SHETLER LINCOLN MERCURY

a) Parish: <u>CALCASIEU</u>	b) Docket No. <u>2006 4413</u>
c) Judicial District <u>14th</u>	d) Filing Date <u>08/ 22 2006</u>
e) Type Suit: <u>Personal Injury</u>	
1. <input checked="" type="checkbox"/> Auto	7. <input type="checkbox"/> Professional Liability
2. <input type="checkbox"/> Uninsured Motorist	a. <input type="checkbox"/> Medical
3. <input type="checkbox"/> Government Liability	b. <input type="checkbox"/> Legal
4. <input type="checkbox"/> General Liability	c. <input type="checkbox"/> Architectural
5. <input checked="" type="checkbox"/> Products Liability	d. <input type="checkbox"/> Accounting
6. <input type="checkbox"/> Property Damage	e. <input type="checkbox"/> Engineering
8. <input type="checkbox"/> Other	

2. Nature of injuries (If Ascertainable From Petition):

Wrongful Death

Section B shall be obtained by the Clerk of Court and submitted to the Commissioner of Insurance within 30 days of definitive Judgment. (Section A. (1) a-c must also be completed in order to accurately report.)

B. JUDGMENT INFORMATION

1. Judgment by Merit Trial

a) ☐ Judge ☐ Jury

b) ☐ For the Plaintiff ☐ For the Defendant

c) Judgment awarded, exclusive of interest and costs:

i. <input type="checkbox"/>	- 0 -
ii. <input type="checkbox"/>	- 0 - but less than \$10,000
iii. <input type="checkbox"/>	\$10,000, but less than \$25,000
iv. <input type="checkbox"/>	\$25,000, but less than \$50,000
v. <input type="checkbox"/>	\$50,000, but less than \$100,000
vi. <input type="checkbox"/>	\$100,000, but less than \$250,000
vii. <input type="checkbox"/>	\$250,000, but less than \$500,000
viii. <input type="checkbox"/>	\$500,000, but less than \$750,000
ix. <input type="checkbox"/>	\$750,000, but less than \$1,000,000
x. <input type="checkbox"/>	\$1,000,000, but less than \$2,000,000
xi. <input type="checkbox"/>	\$2,000,000, or more

2. Appeal Status:

a) ☐ Appeal Entered b) ☐ No Appeal Entered

Section C shall be completed by the Clerk and submitted to the Commissioner of Insurance within 30 days of dismissal

C. DISMISSAL INFORMATION

1. Date of dismissal:

2. ☐ With prejudice ☐ Without prejudice

D. A processing fee of \$10.00 shall be taxed as costs of court in each suit on which the information required by this section is submitted by the Clerk of Court. Upon rendering of Judgment under Section B of this form or dismissal under Section C of this form, \$5.00 shall be paid to the Commissioner of Insurance by the Clerk of Court and \$5.00 shall be retained by the Clerk from the court costs paid in Section D.

CLERK OR DEPUTY CLERK Samuel Taylor

MCKERNAN LAW FIRM

A Professional Limited Liability Company

ATTORNEYS
JOSEPH I. "JERRY" MCKERNAN†, A
GORDON I. MCKERNAN*
THOMAS L. WALKER
JOHN H. SMITH‡
CHRISTO BOURGEOIS‡
DEREK M. WHITTINGTON

8710 Jefferson Highway
Baton Rouge, Louisiana 70809
Telephone (225) 936-1234
Fax (225) 936-1288
e-mail: smi@jwmckernanlawfirm.com

OF COUNSEL
SCOTT E. BEADY

October 2, 2006

Honorable H. Lynn Jones, II
Attn: Simone
1000 Ryan Street
P. O. Box 1030
Lake Charles, LA 70602-1030

RE: Taylor, et al. v. Shelter Lincoln Mercury, Ltd.
Suit No. 2006-004413

Dear Simone:

Per our conversation, enclosed is the completed reporting form.

With kind regards, I am,

Sincerely yours,


Heather N. Keller
Legal Assistant

/s/nk
Enc.

*Above Licensed in Louisiana and Texas
†Above Licensed in Louisiana and Mississippi
‡ Board Certified - Civil Trial Law - National Board of Trial Advocacy
§ Board Certified - Appellate Board of Trial Advocacy
Δ Fellow, International Academy of Trial Lawyers

Form: 1233

LETTER FOR BI REPORT

H. LYNN JONES II
CLERK OF COURT AND EX-OFFICIO RECORDER
14TH JUDICIAL DISTRICT COURT OF LOUISIANA
PARISH OF CALCASIEU
LAKE CHARLES, LA 70601

SEPTEMBER 28, 2006

JERRY MCKERNAN
8710 JEFFERSON HIGHWAY
BATON ROUGE, LA 70809

RE:

TAYLOR, TIMOTHY LYLE

VERSUS No: 2006-004413

SHETLER LINCOLN MERCURY LTD

Date Filed: SEPTEMBER 22, 2006

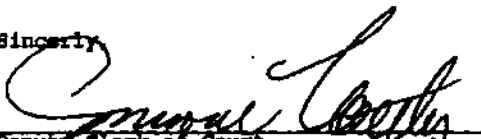
Dear MR. MCKERNAN:

Act 723 of the 1988 Regular Session requires that certain information from certain types of lawsuits be submitted to the Commissioner of Insurance for preservation and compilation of statistical information.

Section F of Act 723 requires the attorney for the plaintiff to complete Section A of the reporting form and to file it with the Clerk of Court at the same time the lawsuit is filed. We have not received the reporting form with your lawsuit.

Pursuant to Section F of Act 723, we are attaching a copy of the form to be completed in the above captioned matter. Please complete and return the reporting form to our office as soon as possible so as not to delay the filing and processing of your lawsuit.

Sincerely,


Deputy Clerk of Court

[Original Copy]

MCKERNAN LAW FIRM

A Professional Limited Liability Company

ATTORNEYS

JOSEPH J. "JERRY" MCKERNAN†† A
ORDON L. MCKERNAN*
THOMAS L. WALKER
JOHN H. SMITH+
CHRIST G. BOUDREAUX+
DERECK M. WHITTINGTON

8710 Jefferson Highway
Baton Rouge, Louisiana 70809
Telephone (225) 926-1234
Fax (225) 926-1282
e-mail: sm@jcmckernanlawfirm.com

OF COUNSEL
SCOTT E. BRADY

December 12, 2006

VIA FEDERAL EXPRESS
Honorable H. Lynn Jones, II
Attn: Simone/Civil Processing
1000 Ryan Street
P. O. Box 1030
Lake Charles, LA 70602-1030

RE: Taylor, et al. v. Shelter Lincoln Mercury, Ltd.
Suit No. 2006-004413

Dear Simone/Clerk:

Enclosed is our check in the amount of \$500.00 to cover the cost of serving plaintiff's
Petition for Survival Action and Wrongful Death Damages on the following defendants:

Shetler Lincoln-Mercury, Ltd.
Through its agent for service of process:
Stutes, Fontenot, Lavergne & Lutz
713 Kirby Street
Lake Charles, LA 70601

Bridgestone Americas Holding, Inc.
National Registered Agents, Inc.
1280 Clause Street
Mandeville, LA 70448

Ford Motor Company
Through its agent for service of process:
C.T. Corporation System
8550 United Plaza Blvd.
Baton Rouge, LA 70809

FILED 12-13-06
Heard
Deputy Clerk of Court
Calcasieu Parish, Louisiana

*Above Licensed in Louisiana and Texas
†Above Licensed in Louisiana and Mississippi
† Board Certified - Civil Trial Law - National Board of Trial Advocacy
† Board Certified - American Board of Trial Advocacy
+ Fellow, International Academy of Trial Lawyers

Clerk, Calcasieu Parish
December 12, 2006
Page 2 of 2

Firestone Tire and Service
a/k/a Firestone Complete Auto Care
a/k/a BFS Retail and Commercial Operations, LLC
Through its agent for service of process:
National Registered Agents, Inc.
1280 Clausel Street
Mandeville, LA 70448

VIA LONG ARM SERVICE
(PLEASE RETURN CITATION AND PETITION TO US VIA FEDERAL EXPRESS:
ACCOUNT NO. 1218-8444-5)

Cooper Tire & Rubber Company
Through its agent for service of process:
C.T. Corporation System
1300 E. 9th Street
Cleveland, OH 44114

Firestone Tire and Service
a/k/a Firestone Complete Auto Care
a/k/a BFS Retail and Commercial Operations, LLC
Through its agent for service of process:
National Registered Agents, Inc.
1900 Church Street, Ste. 400
Nashville, TN 37203

If you have any questions related to the service of this petition or if additional fees are needed, please contact my legal assistant, Heather Keller at (225) 388-3103.

With kind regards, I am,

Sincerely yours,


Jerry McKernan

JJM/hnk
Enc.

12-18-06
Fed Ex
PK up # 134

225-726-1234

P.S. Please call
me to verify you
have enough \$
to do request.
Heather